

1
2 UNITED STATES DISTRICT COURT
3 EASTERN DISTRICT OF NEW YORK
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4 TINA BRADWAY, Individually and as
5 Administratrix of the Estate of
6 TONY BRADWAY,

7
8 Plaintiff,

9
10 -against-

Civil Action No.
CV-09 3177

11 THE TOWN OF SOUTHAMPTON, LINDA A. KABOT,
12 and JOHN DOES 1-10 Consisting of
13 Individuals to be Determined,

14 Defendants.
-----X

15 May 27, 2010
16 11:14 a.m.

17 110 Old Riverhead Road
18 Hampton Bays, New York

19 DEPOSITION of THE TOWN OF SOUTHAMPTON,
20 a Defendant herein, by POLICE OFFICER DAVID
21 PETERS, taken by the Plaintiff, pursuant to
22 Federal Rules of Civil Procedure, and Notice,
23 held at the above-mentioned time and place,
24 before Lori Anne Curtis, a Notary Public of the
25 State of New York.

PO D. Peters

Q Okay.

Do you know how much that means, "just a little bit"? You know, if you know, you know.

A I don't recall the exact amount. I believe he did state "I had just a little bit. Maybe a gram or two."

Q Okay.

That's what your recollection is today?

A Correct.

Q Okay.

At the time you heard Mr. Bradway say he had ingested "a little bit, maybe a gram or two," what was your reaction to the amount he had ingested?

A I didn't say anything to him at that point.

Q Did it occur to you at that point that a gram or two was a significant amount or not a significant amount?

A According to what he stated to me, I did not think that a gram or two was a significant amount, because at the time he did

1 PO D. Peters

2 state, "I've swallowed a lot more than that. I
3 just wanted to get high before you take me back
4 to jail. I'm fine, and I don't want to go to
5 the hospital."

6 Q So when he stated that to you,
7 your response was not that oh, we should take
8 him to the hospital -- or he seemed to be okay?

9 A Correct.

10 Q Okay.

11 And was Mr. Bradway acting in a
12 threatening manner at all during this time?

13 A No.

14 Q Okay.

15 A Other than the fact that he was
16 not complying with direct orders, up until that
17 point, he was not threatening.

18 Q Okay.

19 So after Mr. Bradway was tased a
20 second time and complied with Officer Sickles'
21 orders to spit out what was in his mouth, the
22 bag and some substance, what happened next?

23 A At that point in time I had left
24 the house to go back to my police car to
25 retrieve an evidence bag to secure the substance